

**ORIGINAL**

**STENOGRAPHIC TRANSCRIPT OF PROCEEDINGS**

**BEFORE THE**

**Illinois Commerce Commission**

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**DOCKET NO. 00-0203**

**IN THE MATTER OF:**

**GTE NORTH INCORPORATED,  
GTE SOUTH INCORPORATED and  
HOME TELENETWORKS, INC.**

**CHIEF CLERK'S OFFICE**

**MAR 24 4 41 PM '00**

**ILLINOIS  
COMMERCE COMMISSION**

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**PLACE: Springfield, Illinois**

**DATE: March 15, 2000**

**PAGES: 1 - 10**

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**SULLIVAN REPORTING COMPANY**

**OFFICIAL REPORTERS**

**TWO NORTH LA SALLE STREET**

**SUITE 1780**

**CHICAGO, ILLINOIS 60602**

**312-782-4705**

**SPRINGFIELD, ILLINOIS**

**217-528-6964**

BEFORE THE  
ILLINOIS COMMERCE COMMISSION

GTE NORTH INCORPORATED, ) DOCKET NO.  
GTE SOUTH INCORPORATED and ) 00-0203  
HOME TELENETWORKS, INC. )

Joint Petition of GTE North )  
Incorporated, GTE South Incorporated, )  
and Home TeleNetworks, Inc., )  
regarding adoption pursuant to 47 )  
U.S.C. Section 252(i) of an )  
Interconnection Agreement. )

Springfield, Illinois  
March 15, 2000

Met, pursuant to notice, at 9:00 A.M.

BEFORE:

MR. JOHN ALBERS, Examiner

APPEARANCES:

MR. DOUGLAS DZIAK  
Hunton & Williams, P.C.  
1900 K Street, N.W.  
Washington, D.C. 20006-1109

(Appearing on behalf of GTE North  
Incorporated and GTE South Incorporated  
via teleconference.)

SULLIVAN REPORTING COMPANY, by  
Carla J. Boehl, Reporter  
Ln. #084-002710

## APPEARANCES:

(Cont'd)

MR. ERIC SCHMIDT  
501 North Douglas  
St. Jacob, Illinois 62281

(Appearing on behalf of Home  
TeleNetworks, Inc., via teleconference.)

MR. JAMES WEGING  
Office of General Counsel  
160 North LaSalle Street, Suite C-800  
Chicago, Illinois 60601

(Appearing on behalf of Staff of the  
Illinois Commerce Commission via  
teleconference.)

I N D E XWITNESSESDIRECT CROSS REDIRECT RECROSS

NONE.

I N D E XEXHIBITSMARKEDADMITTED

Staff Exhibit 1

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PROCEEDINGS

(Whereupon Staff Exhibit 1 was marked for purposes of identification as of this date.)

EXAMINER ALBERS: By the authority vested in me by the Illinois Commerce Commission I now call Docket Number 00-0203. GTE North Incorporated, GTE South Incorporated and Home TeleNetworks, Inc., have brought this matter to the Commission. They have filed a joint petition seeking adoption of an Interconnection Agreement pursuant to Section 47 U.S.C. Paragraph 252(i).

May I have the appearances for the record, please?

MR. DZIAK: Yes. On behalf of GTE North and GTE South, collectively GTE, my name is Douglas Dziak, last name is spelled D-Z-I-A-K. I am with Hunton and Williams, H-U-N-T-O-N, and my business address is 1900 K Street, Northwest, Washington, D.C. 20006, and my business telephone number is (202) 955-1880.

1 MR. WEGING: James Weging, W-E-G-I-N-G, 160  
2 North LaSalle Street, Suite C-800, Chicago, Illinois  
3 60601. Business phone is (312) 793-2877, and I am  
4 appearing on behalf of the Commission Staff.

5 EXAMINER ALBERS: And, Mr. Schmidt, did you  
6 want to enter an appearance?

7 MR. SCHMIDT: I am basically not being  
8 represented by an attorney; would you let me  
9 represent myself or how shall we do that?

10 EXAMINER ALBERS: You can enter on your own  
11 behalf.

12 MR. SCHMIDT: My name is Eric Schmidt,  
13 S-C-H-M-I-D-T. I am representing Home TeleNetworks,  
14 Incorporated. Address is 501 North Douglas Street,  
15 St. Jacob, Illinois 62281, and the phone number is  
16 (618) 644-2211.

17 EXAMINER ALBERS: All right. Thank you.  
18 Let the record reflect there are no others wishing to  
19 enter an appearance.

20 Are there any other preliminary matters  
21 this morning? I will take the silence as a no.  
22 Before we get to the Staff verified statement that I

1 received yesterday, do either of the petitioning  
2 parties have anything else they would like to have  
3 read into the record?

4 MR. DZIAK: Nothing on behalf of GTE,  
5 Mr. Hearing Examiner.

6 MR. SCHMIDT: Nothing on behalf of Home  
7 TeleNetworks.

8 EXAMINER ALBERS: Off the record.  
9 (Whereupon there was then had  
10 an off-the-record  
11 discussion.)

12 EXAMINER ALBERS: Back on the record. I  
13 believe the only thing we have to address then today  
14 is a verified statement of Mr. Omoniyi. Do either of  
15 the petitioning parties have any questions for the  
16 Staff witness?

17 MR. DZIAK: GTE does not, Mr. Examiner.

18 MR. SCHMIDT: Home TeleNetworks does not as  
19 well.

20 EXAMINER ALBERS: Mr. Weging then?

21 MR. WEGING: Yeah, I was going to call the  
22 witness and have him sworn.

1 EXAMINER ALBERS: If there are no questions  
2 for him, though, are the parties willing to stipulate  
3 to its admission?

4 MR. DZIAK: GTE is.

5 EXAMINER ALBERS: Unless, Mr. Weging, you  
6 had some additional information you wanted to elicit?

7 MR. WEGING: No, I was just going to do the  
8 usual. If we are willing to stipulate it into the  
9 record, then we are done.

10 EXAMINER ALBERS: Mr. Schmidt, are you  
11 willing to stipulate to the admission of this?

12 MR. SCHMIDT: That's fine.

13 EXAMINER ALBERS: I assume you both have had  
14 a chance to look at it?

15 MR. SCHMIDT: Home TeleNetworks has.

16 MR. DZIAK: GTE has.

17 EXAMINER ALBERS: Then if there is no  
18 objection to doing it that way, we would note for the  
19 record that the verified statement of Mr. Olusanjo  
20 Omoniyi, marked as Staff Exhibit 1, is admitted into  
21 the record via stipulation.

22 (Whereupon Staff Exhibit 1 was



1 admitted into evidence.)

2 EXAMINER ALBERS: I do have just one or two  
3 clarifying questions. I think counsel for the  
4 petitioners can answer these. Am I correct in  
5 understanding then that the two letters in Exhibit 1  
6 attached to the joint petition do not in any way  
7 modify the GTE/US Xchange Agreement that is being  
8 adopted?

9 MR. SCHMIDT: From Home TeleNetworks, that's  
10 the way we understand it.

11 MR. DZIAK: GTE would want to reserve its  
12 rights were there any changes in the law as a result  
13 of any court cases, and that's all that letter  
14 attempts to reflect.

15 EXAMINER ALBERS: Okay. But the agreement  
16 between GTE and US Xchange which is being adopted, is  
17 that -- are there any substantive changes between  
18 that agreement and what Home TeleNetworks wants to  
19 adopt as the agreement between itself and GTE? I  
20 understand your desire to reserve certain rights, but  
21 is the agreement itself different in any way as a  
22 result of these letters?

1 MR. SCHMIDT: Not in the opinion of Home  
2 TeleNetworks.

3 EXAMINER ALBERS: But as far as GTE?

4 MR. DZIAK: Only subject to the reservation  
5 that, again, if there is a change. Barring that, no,  
6 there are no changes in the substantive agreement.

7 EXAMINER ALBERS: I guess to the extent that  
8 the law changes, you would seek to -- it sounds to me  
9 that to the extent the law changes, you would intend  
10 to seek a change in the agreement at that time. Is  
11 that what you are saying?

12 MR. DZIAK: I believe that's correct, yes.

13 EXAMINER ALBERS: And whether or not the  
14 parties can do that, since this agreement has been  
15 made, I suppose, would be the subject of another  
16 proceeding or at least negotiations between the two  
17 parties; is that the understanding?

18 MR. DZIAK: Yes.

19 EXAMINER ALBERS: That's all I wanted to  
20 confirm for myself. Is there anything else that  
21 anyone would like to add today?

22 MR. WEGING: This is Jim Weging; no.

1 EXAMINER ALBERS: Nothing from GTE or Home  
2 TeleNetworks?

3 MR. SCHMIDT: Nothing from Home  
4 TeleNetworks.

5 EXAMINER ALBERS: Nothing from GTE then?

6 MR. DZIAK: No.

7 EXAMINER ALBERS: Then if there is nothing  
8 else, then I will mark the record heard and taken.

9 HEARD AND TAKEN

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1 STATE OF ILLINOIS )  
 ) SS  
2 COUNTY OF SANGAMON )  
CASE NO.: 00-00203  
3 TITLE: GTE NORTH INCORPORATED, GTE SOUTH INCORPORATED  
and HOME TELENETWORKS, INC.  
4

CERTIFICATE OF REPORTER

5 I, Carla J. Boehl, do hereby certify that I  
6 am a court reporter contracted by Sullivan Reporting  
7 Company of Chicago, Illinois; that I reported in  
8 shorthand the evidence taken and proceedings had on  
9 the hearing on the above-entitled case on the 15th  
10 day of March, 2000; that the foregoing 10 pages are a  
11 true and correct transcript of my shorthand notes so  
12 taken as aforesaid and contain all of the proceedings  
13 directed by the Commission or other persons  
14 authorized by it to conduct the said hearing to be so  
15 stenographically reported.

16 Dated at Springfield, Illinois, on this 24th  
17 day of March, A.D., 2000.  
18

19   
20

21 Certified Shorthand Reporter  
22